

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 2230 OF 2007

Smt.Alka Maruti Pawar. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Ms.P.P.Tendulkar i/b. Vishwajit Patil and
Subhash Hulyalkar for the applicant.

Ms.M.V.Mhatre, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 13th July 2007.

P.C.:

. Heard learned counsel for the applicant and
learned A.P.P. for the State.

2. This application under section 438 of Code of Criminal Procedure, 1873 is for anticipatory bail in C.R.No.196/2007 registered with the Haveli Police Station, Pune. The applicant is charged with the offences punishable under sections 302, 498(A), 201 read with section 34 of Indian Penal Code (I.P.C.). It reveals from the prosecution case that on 14th June, 2007, in the afternoon hours, one of the accused had beaten deceased and then in the evening the victim set herself on fire. Later on victim came to be

hospitalised. However, she succumbed to the burn injuries. In such circumstances, offence came to be registered on the basis of statement given by the deceased. The name of the present applicant is not mentioned in the F.I.R. However, in the third dying declaration applicant came to be implicated. The applicant is a sister-in-law of the deceased staying separately with her husband. She might have come to the house of her mother where the deceased was staying. Considering the absence of the name of the applicant in earlier F.I.R. and in first two dying declarations, a prima facie case for bail is made out. I am, therefore, inclined to grant anticipatory bail in favour of the applicant, subject to following conditions:

(a) that in the event of arrest of the applicant, viz., Smt.Alka Maruti Pawar in connection with C.R.No.196/2007 registered with Haveli Police Station, Pune she shall be released on bail of Rs.10,000/- with one surety to make up the said amount.

(b) that she shall not, directly or indirectly, make any inducement or threat or pressurise the witnesses of the prosecution and shall not in any manner tamper with the

evidence.

(c) that the applicant shall report to the Haveli Police Station once in 15 days, i.e. on every alternate Friday between 3.00 to 5.00 p.m. and shall co-operate with the investigating agency. It is needless to mention that breach of any of the conditions by the applicants shall result in cancellation of bail.

3. Application stands disposed of accordingly.

JUDGE